

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

**Media Bureau Seeks Comment on Implementation of the
Television Viewer Protection Act of 2019**

MB Docket No. 21-501



REPLY COMMENTS OF CONSUMER REPORTS

March 7, 2022

Consumer Reports (CR) welcomes the opportunity to comment upon the implementation of the Television Viewer Protection Act of 2019 (TVPA), a law CR both endorsed and played a role in drafting a little more than two years ago.¹ The TVPA contained new consumer protection measures to increase transparency in the multichannel video programming distributor (MVPD) and internet service provider (ISP) marketplaces. Taking effect in December of 2020, the law requires MVPDs to disclose at the point of the sale the total price of monthly service with all fees, surcharges, and a good faith estimate of all taxes included.² The law further prohibited ISPs from charging consumers rental fees for equipment (e.g., broadband modems and routers) that they do not use, usually in the case where someone has purchased their own equipment.³ Both of these measures were necessary to address business practices that were frustrating and harmful to consumers.

The Public Notice asks a very basic question: are providers—MVPDs and ISPs (and oftentimes, they are the same company)—complying with the new law?⁴ In order to help answer this question and assist the Commission in assessing whether the TVPA has been successfully implemented, CR solicited comments directly from consumers last month, with particular attention paid to the ban on rental fees charged for equipment that consumers already own or do not use. The results of that effort are detailed below, and suggest that although some consumers

¹ The Television Viewer Protection Act of 2019, Pub. L. No. 116-94, 133 Stat. 2534 (2019) *hereafter* TVPA

² TVPA, Section 642(a)(1)

³ TVPA, Section 642(c)

⁴ Public Notice, *Implementation of the Television Viewer Protection Act of 2019*, FCC Media Bureau, Docket No. 21-501(December 20, 2021)

are able to use their own modems and routers in compliance with the law (i.e., free of rental fees), many others are frustrated in their efforts to do so.

Brief Review of the Television Viewer Protection Act: Total Price and Fee Disclosure Requirements

CR research conducted in 2019 found that consumers pay significantly more than the advertised price for pay-TV service because of the addition of various fees, surcharges, and taxes.⁵ Many of these additional charges are not included in the advertised price, and are instead buried in the fine print of the service plan. As part of our work, CR examined hundreds of MVPD bills and determined that additional charges of all types amount to an additional 33 percent mark-up over the base price of service.⁶

Company-imposed fees (e.g., Broadcast TV Fee, Regional Sports Fee, rental fees for set-top boxes, etc.) which are solely the creation of the provider (versus regulatory fees that are passed on to the consumer) made up the bulk of these added costs to the advertised price. On average, company-imposed fees added \$37 to a consumer's monthly pay-TV bill, which was the equivalent of an extra 24 percent of the base price tacked onto the bill.⁷ The MVPD practice of separating out operating costs as cleverly-named fees remains firmly in place, and company-imposed fees continue to rise in price.⁸

Ultimately, the only way to rid the marketplace of these growing and increasingly expensive fees would be to prohibit MVPDs from charging them as additional line items in the first place. Nonetheless, the TVPA's requirement for providers to inform new consumers of the total price with all the fine print fees included is a step towards greater transparency, and helps consumers understand the true cost of service, versus the lower advertised rate which often does not explicitly include additional fees, surcharges, and taxes that CR detailed in our 2019 report.⁹

⁵ Jonathan Schwantes, *How Cable Companies Use Hidden Fees to Raise Prices and Disguise the True Cost of Service* (CR Cable Bill Report 2019), Consumer Reports Advocacy (October, 2019), <https://advocacy.consumerreports.org/wp-content/uploads/2019/10/CR-Cable-Bill-Report-2019.pdf> hereafter Cable Bill Report

⁶ Cable Bill Report, p.6

⁷ *Id.* at p.7

⁸ Jess Barnes, *Comcast Will Increase Cable Costs and Fees in January 2022*, Cord Cutters News (Nov. 29, 2021), <https://www.cordcuttersnews.com/comcast-will-increase-cable-costs-and-fees-in-january-2022/>

⁹ Sec.642(a)(1) of the TVPA requires: "Before entering into a contract with a consumer for the provision of a covered service, a provider of a covered service shall provide the consumer, by phone, in person, online, or by other reasonable means, the total monthly charge for the covered service, whether offered individually or as part of a bundled service, selected by the consumer (explicitly noting the amount of any applicable promotional discount reflected in such charge and when such discount will expire), including any related administrative fees, equipment fees, or other charges, a good faith estimate of any tax, fee, or charge imposed by the Federal Government or a State or local government (whether imposed on the provider or imposed on the consumer but collected by the provider), and a good faith estimate of any fee or charge that is used to recover any other assessment imposed on the provider by the Federal Government or a State or local government."

Of further benefit, the law also afforded new consumers a twenty-four hour period to cancel service without penalty after receiving information about the total, “all-in” cost of service.¹⁰

Both new measures will improve transparency and consumer awareness of the true cost of service in the MVPD market, but only for new customers or existing customers who change service plans. And although a positive step forward, absent banning the practice of excessive itemized fees, a further measure CR supports would be a requirement for providers to advertise the true cost of service, inclusive of all fees, taxes, and additional charges.

Prohibition on Charges for Consumer-Owned or Unused “Covered Equipment”

Consumer Report’s work on cable fees also confirmed a disturbing new business practice first reported by *ArsTechnica* in 2019.¹¹ Frontier Communications reportedly was charging a monthly rental fee for broadband modems provided to consumers *even when consumers were not using that equipment* because they were already using their own purchased modem and/or routers. Absurd as it may sound, consumers were being made to pay for something they neither purchased nor needed to receive internet service. When CR reached out to Frontier to confirm whether this business practice was taking place, we received the same answer given to *ArsTechnica*:

“New mandatory modem and router fees have also begun to saddle more internet-only consumers with company-imposed fees. Many consumers have long been able to avoid monthly equipment rental fees by purchasing and using their own modems and routers. With rental fees costing up to \$11 a month, they can often recoup their investment in less than a year. But Frontier recently began charging a leasing fee ‘for your Frontier router or modem—whether you use it or not,’ eliminating this money saving strategy.”¹²

As pointed out in our report, prior to Frontier’s new mandatory rental fees, consumers could either purchase and use modem compatible with their ISP’s network, or rent the same or similar equipment from their provider. But forcing consumers to accept an ISP’s modem, even if it is not needed or used by the end user, eliminates that choice.

Fortunately, the TVPA eliminates this anti-consumer business practice. The operative language is found in Sec.642(c) entitled “Consumer Rights to Accurate Equipment Charges.”

¹⁰ TVPA, Section 642(a)(3)

¹¹ Jon Brodtkin, *Frontier Customer Bought His Own Router—But Has to Pay \$10 Rental Fee Anyway*, *ArsTechnica* (July 2, 2019), <https://arstechnica.com/information-technology/2019/07/frontier-customer-bought-his-own-router-but-has-to-pay-10-rental-fee-anyway/>. See also <https://frontier.com/helpcenter/categories/internet/installation-setup/compatible-routers-and-modems> for Frontier’s explanation of its mandatory router fee: “Frontier charges you a monthly lease fee for your Frontier router or modem—whether you use it or not.”

¹² Cable Bill Report, p.8

The language of subsection (c) leaves no doubt that Frontier’s behavior is no longer allowed. It reads:

“A provider of a covered service or fixed broadband internet access service may not charge a consumer for—

(1) using covered equipment provided by the consumer; or

(2) renting, leasing, or otherwise providing to the consumer covered equipment if—

(A) the provider has not provided the equipment to the consumer; or

(B) the consumer has returned the equipment to the provider, except to the extent that the charge relates to the period beginning on the date when the provider provided the equipment to the consumer and ending on the date when the consumer returned the equipment to the provider.”¹³

The term “covered equipment” is subsequently defined in subsection (d)(2): “The term ‘covered equipment’ means equipment (such as a router) employed on the premises of a person (other than a provider of a covered service or fixed broadband internet access service) to provide a covered service or to provide fixed broadband internet access service.”¹⁴ This definition would certainly include modems, WiFi routers, and modem/router combination devices necessary for broadband internet access at home.

Taking this language as a whole, as of the effective date of the TVPA (December 20, 2020) if a consumer is “providing” her own equipment, the ISP cannot force her to take its own equipment and charge her a rental fee. Nor can an ISP continue to charge a consumer for equipment returned to the provider. The inclusion of subsection (c) is a significant victory for consumer choice, and will help ensure that consumers can avoid expensive, *ad infinitum* rental fees—as is the norm in the video set-top box market—for broadband equipment by opting to purchase their own compatible devices.

Measuring Compliance with the Television Viewer Protection Act

In response to the Commission’s request for comment in this proceeding, CR asked for input from consumers. We specifically focused on the new prohibition against rental charges for equipment owned or returned by consumers to their ISP. Using our “share your story” platform (or SYS), CR asked its members the following questions:

¹³ TVPA, Section 642(c)

¹⁴ TVPA, Section 642(d)(2)

“Have you checked your internet bill recently? We want to know if internet providers are charging consumers for equipment, like a Wifi router, that they don’t need or don’t use—typically because they already have their own router, for example. Have you been charged by your internet or TV provider for a router you don’t use—either because you use your own or the company insisted that you take theirs anyway? Similarly, have you had a hard time determining which router you could use with a specific internet provider?”¹⁵

The questions were designed to measure whether or not ISPs were in compliance with subsection (c) of the TVPA, and also to solicit consumer opinion on whether or not it was difficult to use consumer-owned equipment versus renting those devices from the provider. Notably, neither of the two cable industry trade associations mentioned this issue in any detail in their comments filed last month at the Commission.¹⁶

In less than a month, more than 350 stories were submitted to CR. Some contain allegations that the law is being violated, whereas others state the new statute is being respected.¹⁷ Many more stories suggest that ISPs dissuade consumers from using their own equipment, typically by refusing to troubleshoot any service disruptions if consumers opt not to rent the ISP’s devices. Such practices result in *de facto* situations where consumers feel pressured or forced to rent equipment that they would prefer to own instead. And to be sure, though we did not directly inquire about the new fee disclosure requirements, consumers continue to complain about company-imposed fees, and their stories suggest (and as we warned) that fees like the Broadcast TV Fee have increased dramatically since CR published its 2019 report.

All of the stories CR collected are viewable via the link provided in footnote 15. A few examples are excerpted here for the Commission’s review, organized topically. The stories were minorly edited to correct typographical errors and aid readability. Per CR’s disclosure policy, these stories have been submitted directly to Consumer Reports by its members, and have not

¹⁵ A copy of the SYS page used for this comment can be found here:

<https://www.consumerreports.org/stories/questionnaireId=256>. All stories submitted can be found on this page as well, including a disclosure that the stories have been submitted directly to Consumer Reports by its members, and have not been checked by CR for accuracy. The stories reflect the views of the submitting members, and not necessarily those of Consumer Reports.

¹⁶ See *Comments of NCTA—The Internet & Television Association*, MB Docket No. 21-501 (filed February 3, 2022) and *Comments of ACA Connects*, MB Docket No. 21-501 (filed February 3, 2022).

¹⁷ Examples suggesting the law is being complied with include: “I do not pay router fees. I have my own router. I have not had any complaints from my provider Spectrum,” and “We have internet-only service from Xfinity (no TV, no phone). We don't have any Xfinity equipment (modem, router) and haven't for several years. We have a self-purchased and installed ASUS wifi router & modem combo. We found the list of Xfinity-supported customer equipment very easily on the Xfinity website, and purchased the equipment from Amazon that best suited our needs. Setup was a breeze. All we needed was a smart phone for the setup process. We do not get billed for anything other than the internet service itself. In fact, it is the only line item on our bill. 'Taxes, fees and other charges' show \$0.00, as they should. There's no nickel and diming. Our plan is the Blast! Pro+ (silly name, for sure) for \$83/month, and we're supposed to get speeds of 400 Mb/s down and 10 Mb/s up. We regularly get 480 Mb/s down and 12 Mb/s up. Service is very reliable if a little pricey. However, they're the only broadband provider we can get service from at our location. No, we aren't employed by Xfinity.”

been checked by CR for accuracy. The stories reflect the views of the submitting members, and not necessarily those of Consumer Reports. However, because of the number of stories that allege illegal conduct, further investigation and confirmation of those may be warranted.

Alleged Violations of Subsection (c)

“I had purchased a new high-end WiFi router a few months prior to switching to AT&T Internet service. We switched to move to fiber and get the increased speed. Once we switched and got our first bill, the total bill was for \$70. \$60 was for the Internet itself and \$10 was for the equipment.

When I called to tell them that I do NOT need their router because I have a high-end one that is working great, they told me I didn't have a choice, that having the equipment was mandatory. I argued that a modem is a necessary part of the internet so it should be included with that fee seeing it isn't an option to not have one. And I don't need the router portion of it so if I'm not using it I shouldn't be paying for it.

All I got was an apology that there was nothing they could do and now I continue to pay the monthly extra fee for the modem/router.”—**consumer in Menasha, WI**

“We do rent our modem from Comcast/Xfinity. When we were having issues, they told us to come in and get a new and updated one for free. So we did, and they started charging us for the new one AND STILL CHARGED US FOR THE OLD ONE even though we only can use one at a time, and the old one did not work anymore!”—**consumer in Orinda, CA**

“This is from late 2020, when I subscribed for internet service from AT&T. When the installer came to my house I mentioned that I have my own router so I don't need their's. The installer mentioned that their mode and routers are integrated into one single device so they have to install it, but they can connect my router to their device. Which is what they did. However when I received my bill from them it included the equipment charge of \$10. I called their service and mentioned that I use my own router and do not need their router and I do not want to pay for the a device that I am not using. The support person said that the equipment charge is not optional, and has to be paid. At that point I chose to disconnect the service with AT&T and went with Spectrum internet service. Spectrum provides their own modem and does not charge any equipment fee if I am using my own router.”—**consumer in Corona, CA**

“Windstream is our ISP. They are currently charging \$7 per month for their modem/router combination (gateway), and that price will increase to \$11 once our special deal ends. Funny thing is, I bought my own gateway and returned theirs 1.5 months ago, but we're still being billed for theirs.”—**consumer in Ruidoso, NM**

“AT&T charges a mandatory \$10 fee for a router that is required because they will not share the certificate that I need to connect to their fiber network with my own equipment. I don't use, like, or trust their router for anything other than providing an ethernet port for my own equipment. I choose to use my own, high-quality, secure hardware.

AT&T should provide me the option to connect to their network with my own equipment by providing me the authentication certificate, and *should not charge an equipment fee if I choose to do so*. If it isn't already, it should be illegal to charge an equipment fee for mandatory equipment. It should also be illegal to prevent me from accessing their network with my own equipment using standard security protocols*.

*A rebuttal to AT&T's inevitable security argument:

AT&T's equipment uses 801.2X, an industry-standard security protocol that most consumer devices are capable of. Properly implemented on AT&T's side, this is inherently secure. Providing me with a certificate to connect my own equipment to their network would not present a security risk. Actually, the status quo of not having this option, and having to use their insecure equipment, presents a huge security risk to me and my employer.

Educated speculation as to why this system doesn't make more sense for customers like myself: AT&T doesn't see a business justification for allowing me to connect to their fiber network with my own equipment. This would mean extra work for them, plus lost revenue from their monopolistic requirement to rent out their bottom-of-the-barrel, security-vulnerability-ridden equipment.”—**consumer in Austin, TX**

“We use our own modem and router and have done so for years. We noticed that Comcast was charging us monthly for a modem we did not even have. When brought to their attention they refused to refund more than the prior three months although they had charged us for years for the modem we never had. This just seems illegal and we stated that to the representative. Sadly, there seemed to be no legal recourse to hold them accountable for their unethical behavior.”—**consumer in New Hope, PA**

“Xfinity notified me I needed a new router, and they would overnight me a plug-and-play unit for immediate installation and usage. My router, which I owned, was old but it was mine. I asked Xfinity if there would be any additional charges, and they said no, it was strictly a move that would enhance my Xfinity experience. How foolish was I? I just noticed the \$14.00 monthly modem charge. I should have figured they would sneak it in there.”—**consumer in West Hartford, CT**

ISP Tactics to Dissuade Use of Consumer-Owned Equipment

“I am a computer network engineer by profession and I work with Cox Communications in Omaha frequently to support business clients. I have a better than average knowledge of the situation "on the ground" in Omaha for residential cable modem services. We also have Century Link in town, but they are true garbage and no one uses them.

Cox charges \$12 per month for a combined cable modem/router device. It is possible to put this in bridge mode to use my own router, but I still have to pay \$12 per month for the cable modem function. A person can provide their own cable modem, but Cox will blame the customer-owned modem and will not support it if there is any issue of any kind with the

internet service. Issues unrelated to the modem will not receive meaningful assistance. Their answer to every problem is 'you have to rent our modem.' So while renting their modem is 'optional' the reality is it is mandatory. I paid nearly \$200 for a cable modem which is a Cox-recommended make and model. After a couple months it quit working, I think because of a factory defect. The manufacturer, Arris, won't replace it without Cox confirming some details about the problem to them. Cox refuses to participate when a customer-owned modem is involved. So I have a broken \$200 modem I can't use and I can't have it replaced under warranty, and I pay Cox \$12/month to have a functional modem. \$12/month is a total rip off, but I have little choice since the alternative is to gamble on buying another modem which also would not really be supported by Cox. I have owned many cable modems over the years and normally never rented a modem, but Cox has got far more aggressive about refusing to help and this unhelpfulness is new (last 2 to 3 years maybe). They obviously have a policy to force people like me to stop buying our own modems. It's nonsense that they cannot troubleshoot if a customer owns their own modem. I myself am qualified to troubleshoot every kind of network problem except service problems which only Cox can fix, but this does me no good if the issue is their service and they refuse to investigate because they can blame my modem.

In addition to their equipment usury, Cox sets data limits at 1TB, which is not always enough for my family of four's basic usage. One Xbox game is 80GB, or 8% of the monthly limit. Simply watching Netflix, Youtube, and Disney+ equals 300 to 400GB per month, or 30% to 40% of the monthly limit. We are not even big TV watchers--we only own 1 TV for the whole house + some amount of mobile device watching. Uploading photos from one camera card can be 60GB+ (6% total monthly limit). 1TB is a joke in today's world. This is for a top tier plan which costs me over \$100 per month for the base plan. Cox then charges another \$50 additional for unlimited data. So I pay Cox about \$160/month to simply have basic modern family access to the internet. It is absurdly expensive. The 1TB limit was raised to 1.25TB for Covid, which is not good enough. The limit has been 1TB for probably 15 years, it has not kept pace with modern, normal data usage. Nor will it, because they can force you to pay extra to have enough data. If you do not pre-pay \$50/month to remove the data cap, their overage charges are extremely expensive.

I do not get the service rate I pay for either. Cox's speeds are all "contingent on neighborhood", meaning if you don't live in a brand new subdivision you won't get what you pay for. They structure their plan tiers so customers have to choose between "too slow but I get the full service rate" and "too expensive and faster than I need AND I also don't get what I pay for because of the old neighborhood plant (old neighborhood wiring)".

Cox's policies were less predatory before Ajit Pai gave them a license to steal (overturn of net neutrality). We theoretically have Centurylink (CTL) as an alternative, but they only have ancient DSL with a speed limit of 10mbps or less, which is so slow it technically does not even qualify as "broadband". CTL on the business side has pretty good pricing on business fiber, but they gave up on meaningfully providing home service years ago I believe. Cox fiber is extremely expensive, but they will price match CTL fiber if I tell them I am going to go with CTL for a new circuit. When threatened, Cox is able to cut their fiber pricing in half. A person could read something into their ability to take off 50% to close a deal. Sadly, there is no such option to negotiate for residential users.

Here in Omaha we all pay whatever Cox residential tells us to because we have no choice.”—**consumer in Omaha, NE**

“Verizon wanted to charge me \$300 to buy a Verizon router or rent for \$15 a month. I bought the exact same Frontier router \$100 brand new. It worked fine for about a year and then I found out that Verizon would not send updates To my frontier router And would only send updates if I rented or bought a Verizon router.”—**consumer in Westborough, MA**

“Since moving in in 2019, my family and I have been forced to choose AT&T as our internet service provider (ISP) because no one else offers it in our apartment building. This would be fine if they provided good service and reasonable prices, but they have a monopoly on our apartment complex and they know it. They couldn't care less about customers. One of the many issues I've had with them is that they FORCE us to use their router and then tack on an itemized \$10 charge for 'equipment fees' every month for it. I have called multiple times over the years asking to remove this fee and take their router, just tell me what router model you want me to use and I'll go buy it myself and avoid losing \$120/year to this piece of hardware I don't need. I've begged and asked everything I know to ask, but they said there is absolutely no way to not use their router, as they have some sort of proprietary firmware on it. That makes no sense to me, I work in Network Security, I KNOW what a router does, and I would very much prefer the customization that I can get with my own hardware, but the AT&T rep said that if I really want that then I can just buy my own router and tunnel it to theirs and still have to keep renting from them. This is stupid, because even if I buy a router with improved specs and interface, it won't affect the amount of traffic that is output beyond what the AT&T router can do because it all has to tunnel through the almighty AT&T router. I'm sick and tired of ISPs doing crap like this, and I want my money back for being charged for a service I never asked for or needed!”—**consumer in Garland, TX**

“I have Verizon FiOS and have been paying \$10 each month for router rent for over four years. I could have bought the router for less out of pocket a long time ago. I'm fairly tech savvy so if I knew the correct replacement I could install it myself. Of course, Verizon discourages that with dire warnings and no assistance.”—**consumer in Oakton, VA**

“My provider for Internet says you can bring your own router and buy your own but it comes with a lot of warnings and how it may not be compatible and you may have difficulty with your Internet service. So then you are basically strong-armed into renting and not buying their router because again they warn if you buy it it may become out of date and then you may have to buy a new one and so on and so on. And they still will charge a fee . And for someone like me who's not tech savvy it's difficult to find how to buy your own router that will be compatible with my Internet provider and stay up-to-date and current website provider. I consider this no different from the neighborhood gangster insisting you pay a price for protection. And due to the fact we only have two Internet providers in my area and both of them do the same thing there's no room for competition. Basically these two providers have monopolized the system in this region.”—**consumer in Wyncote, PA**

“Our local cable company charges \$11.95/mo. for the router/modem they supply. Customers

can use their own and avoid the monthly charge, BUT if there's ever a problem and it is due to the customer's own equipment, there is a service call charged.”—**consumer in Tahlequah, OK**

“I live in Massachusetts. Verizon charges a monthly equipment fee for routers. You can purchase one from Best Buy or any other store that offers them. But if you have an issue with your internet service that cannot be resolved over the phone they will send a technician. If it is determined that the problem was with the router they will charge you a service fee of \$100.00 (I believe). If you rented the router through them there is no charge.”—**consumer in Braintree, MA**

“I was going to purchase my own router, but Xfinity did convince me that if I stayed with their router and paid the monthly charge and if something goes wrong it would be replaced free of charge. Whereas if I bought my own router if something didn't work right I'm on my own to figure it out. So I stuck with Xfinity. I don't trust electronic products very much and I thought something probably will go wrong so I better stay with Xfinity router.”—**consumer in Austell, GA**

Complaints Regarding Company-Imposed Fees

“Frontier FiOS used to charge me a router fee, although I have my own router. Now they don't have that explicit fee, but they do charge an "Internet Infrastructure Surcharge" (\$6.99) and a "Frontier Secure Personal Security Bundle" (\$5.99 after "discount").”—**consumer in Torrance, CA**

“In the last year our Comcast Xfinity bill has increased by 20%. They did this by increasing prices on almost every element of their service and adding a new charge for service to the primary TV that used to be included in the base subscription price. The only charge that didn't increase was for rental of the internet modem. The "Preferred Double Play" charge went up 16%, the charge for service to a second TV went up 13%, the "Broadcast" fee went up 22% and the "Regional Sports" fee went up 20%. Our monthly bill for January 2022 was \$218.55 compared to \$182.14 in January 2021. We could switch to AT&T in our area, but suspect that any savings we could realize would be short-lived.”—**consumer in Niles, IL**

“...with internet and cable it's 160.00. They told us we can only use a Spectrum router. No other routers will work and charge an arm and a leg. Basic TV select 76.99. Something called digi tier 1 that's 12.00. Spectrum receiver 8.99. DVR service 12.99. Then Spectrum internet 68.99 and WiFi service 5.00. Then they charge for a phone we don't even have or use. Nothing is connected. That's 12.99. Then broadcast tv surcharge 17.99??? What the hell is [with] these charges????”—**consumer in Kenosha, WI**

“Here is what I pay Spectrum a month. Triple Play, \$154.99. TV Service \$24.98. DVR Service, \$12.99, DVR Upgrade \$3.00. Digital Adapter \$8.99. Internet modem Service, \$10.00. Home WiFi, \$10.00. Broadcast TV Surcharge, \$20.69. Sports programming surcharge, \$2.70. Taxes, Fees and charges, \$13.39.”—**consumer in Syracuse, NY**

“Later after the router fee was made illegal by the act of congress, I quickly called up Frontier

to have the fee removed, which they did going forward. However, a few months later, Frontier increased their infrastructure charge (another bogus fee) about \$3 or \$4 if I recall correctly. So in my mind, Frontier did a bait and switch and is just trying to play the bogus fee game but not calling it a router fee any longer.”—**consumer in Flower Mound, TX**

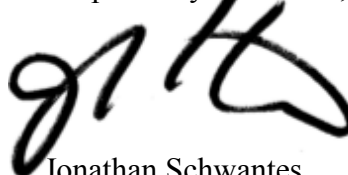
“I own my own router and am not charged any extra by Comcast (Xfinity). I do however have a "Broadcast TV" fee of 19.75 and a "Regional Sports" fee of 17.30 every month. Sure wish I knew what they are for and if they are negotiable.”—**consumer in Lombard, IL**

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Of the hundreds of consumer accounts CR collected to evaluate the implementation of the TVPA, some suggest the statute is not being complied with as vigorously as Congress intended. Charging consumers for equipment they did not ask for or equipment that is not being used is a clear violation of the law. These allegations merit further investigation by the Commission. Because the allegations were submitted by CR members, we have contact information available to share (only if consent to share is given by the member) with the Commission if interested. CR could also encourage these consumers to file formal complaints with the FCC.

The tactics reported by some CR members where ISPs allegedly dissuade consumers from using their own equipment for broadband service may not be a direct violation of the law; however, they strike us as running afoul of the spirit of law, which promotes consumer freedom and the choice to not have to rent devices from their ISPs. CR looks forward to working with the Commission to explore remedies that ensure consumers do not face barriers when they opt to purchase and use their equipment to connect to an ISP’s network.

Respectfully submitted,



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